

In re Appln. of CONNORS et al.  
Serial No. 09/091,508

Neither Connors nor Taga suggest a separation element as defined in independent claim 1 and including a seal having an outside diameter greater than the largest outside diameter of a joiner cap. Connors discloses a flat gasket 17 which has a smaller outside diameter than the largest diameter of the end connectors 20, 30. Connors further discloses a sealing connector 60. However, nothing in Connors even remotely suggests that the outside diameter of the sealing connector 60 is greater than the outside diameter of the end connectors 20, 30.

Taga fails to remedy this deficiency of Connors. Taga discloses nothing about joiner caps, let alone any relationship between the outside diameter of a seal and the largest outside diameter of a joiner cap. Because neither Connors nor Taga teaches a separation element as defined in independent claim 1 wherein the seal has an outside diameter which is greater than the largest outside diameter of a joiner cap, the combination of Connors and Taga fails to render independent claim 1 unpatentable.

Claim 2 was rejected under 35 U.S.C. § 102(b) as being anticipated by Taga. It is respectfully contended that this rejection has been overcome.

Taga neither discloses nor suggests a separation element as defined by independent claim 2 and including an end cap which has a seal with an outside diameter greater than the largest outside diameter of the other end cap. Taga discloses an upper end plate 1 and an upper protective cap 13 joined to one another at a seal portion 17. Taga also discloses a lower plate and a lower protective cap 13 joined to one another at a seal portion 17. However, nothing in this structure teaches a seal on one end cap having an outside diameter greater than the largest outside diameter of the other end cap. Consequently, Taga fails to render unpatentable the separation element defined by independent claim 2.

Independent claim 3 was rejected under 35 U.S.C. § 102(e) or (a) as being anticipated by Smith et al. USP 5,779,903. Applicants respectfully traverse this rejection.

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Independent claim 3 is patentable as originally filed but has been amended to more particularly point out and distinctly claim separation elements embodying the invention.

Smith discloses an end cap comprising an annular body 11 and a flange 21. However, Smith fails to disclose relative movement of the body 11 and the flange 21. Rather, column 4, lines 1-10 are directed to deflection of the body 11 by the outlet member 36 and expansion of flange faces 25, 26 relative to the housing. Because Smith fails to disclose or suggest relative movement between segments of an end cap, it fails to anticipate or render unpatentable independent claim 3.

Independent claim 4 was rejected under 35 U.S.C. § 102(b) as being anticipated by Connors. Applicants respectfully traverse this rejection.

Connors fails to disclose or suggest a separation as defined in independent claim 4 and including a compressed sealing member which has an outer diameter greater than the second segment of the end cap. As previously noted, in Connors, the flat gaskets 17 all have an outer diameter less than of the end connectors 20, 30 and the sealing connector 60. Accordingly, it is respectfully contended that Connors fails to render unpatentable independent claim 4.

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In light of the foregoing amendments and remarks it is respectfully contended that all claims pending in the application are patentable and the application is in condition for allowance.

Respectfully submitted,

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